

Algenol Biofuels

HARNESSING THE SUN TO FUEL THE WORLD*

July 16, 2012

Ms. Ann Cole, Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

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COMMISSION
CLERK

Re: Docket No. 120015-EI

Dear Ms. Cole:

Enclosed please find an original and 7 copies of Algenol Biofuels Inc.'s Objections and Responses to Florida Power & Light Company's First Set of Interrogatories (Nos. 1-3) and First Request for Production of Documents (No. 1), for filing in re: Petition for increase in rates by Florida Power & Light Company, Docket No. 120015-EI on behalf of Algenol Biofuels Inc., as an intervenor.

Sincerely,



Pascal A. DuPuy
Legal Intern
On Behalf of
Quang J. Ha
General Counsel

(Not admitted in Florida)

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DOCUMENT NUMBER-DATE
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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for Increase in Rates by
Florida Power & Light Company.**

Docket No. 120015-EI

Filed: July 16, 2012

**NOTICE OF SERVICE OF ALGENOL BIOFUEL INC.'S RESPONSE TO FLORIDA
POWER & LIGHT COMPANY'S FIRST SET OF INTERROGATORIES (Nos. 1-3) AND
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (No. 1)**

Algenol Biofuel Inc. gives Notice of Service of its Responses to Florida Power & Light Company's First Set of Interrogatories (Nos. 1-3) and First Request for Production of Documents (No. 1), to John T. Butler, Esq. and Maria J. Moncada, 700 Universe Boulevard, Juno Beach, Florida, 33408, representative for Florida Power & Light Company.

Respectfully submitted this 16th day of July 2012.

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CERTIFICATE OF SERVICE
DOCKET NO. 120015-EI

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice was served electronic mail or U.S. Mail this 16th day of July 2012 to the following:

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Q.

For each consultant, expert, witness, or other person who files testimony on behalf of Algenol in this Docket, identify the date initially consulted, the date of formal retention (if any), identify the retention agreement or other documentation of that retention, and describe the terms of the financial arrangements or agreement pursuant to which that person or entity will be compensated for work and/or services provided in this case.

A.

R. Paul Woods, CEO of Algenol Biofuels Inc., is the only person who filed testimony on behalf of Algenol in this Docket. Mr. Woods has been CEO of Algenol since 2006, and is providing testimony within the scope of his duties to Algenol. As such the remainder of this question is irrelevant to the matter at issue in this Docket.

Q.

For each consultant, expert, witness, or other person, who files testimony on behalf of Algenol in this Docket, please identify by jurisdiction, docket number, and case name each and every case or matter in which they provided testimony on behalf of any business entity, individual, intervenor, association, organization or otherwise, specifically including but not limited to groups or associations of retail consumers, from 2006 to present.

A.

Mr. Woods has not provided any such testimony on behalf of any business entity, individual, intervenor, association, organization or otherwise, in the period from 2006 to present.

**Algenol Biofuels, Inc.
Docket No. 120015-EI
Florida Power & Light Company's First Set of
Interrogatories
Interrogatory No. 3
Page 1 of 1**

Q.

For each consultant, expert, witness or other person who files testimony on behalf of Algenol in this Docket, please identify each document upon which they relied in preparing such testimony.

A.

Please refer to Algenol Biofuels Inc.'s Objections to Florida Power & Light Company's First Set of Interrogatories (Nos. 1-3) and First Request for Production of Documents (No. 1) filed contemporaneously herewith.

**Algenol Biofuels, Inc.
Docket No. 120015-EI
Florida Power & Light Company's First Set of
Request for Production of Documents
POD No. 1
Page 1 of 1**

Q.

Please provide a copy of all documents identified in your responses to FPL's First Set of Interrogatories, Nos. 1-3.

A.

Please refer to Algenol Biofuels Inc.'s Objections to Florida Power & Light Company's First Set of Interrogatories (Nos. 1-3) and First Request for Production of Documents (No. 1) filed contemporaneously herewith.

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for Increase in Rates by
Florida Power & Light Company.**

Docket No. 120015-EI

Filed: July 16, 2012

**NOTICE OF SERVICE OF ALGENOL BIOFUEL INC.'S OBJECTIONS TO FLORIDA
POWER & LIGHT COMPANY'S FIRST SET OF INTERROGATORIES (Nos. 1-3) AND
FIRST REQUEST FOR PRODUCTION OF DOCUMENTS (No. 1)**

Algenol Biofuel Inc. gives Notice of Service of its Objections to Florida Power & Light Company's First Set of Interrogatories (Nos. 1-3) and First Request for Production of Documents (No. 1), to John T. Butler, Esq. and Maria J. Moncada, 700 Universe Boulevard, Juno Beach, Florida, 33408, representative for Florida Power & Light Company.

Respectfully submitted this 16th day of July 2012.

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DOCKET NO. 120015-EI

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

**In re: Petition for Increase in Rates by
Florida Power & Light Company.**

Docket No. 120015-EI

Filed: July 16, 2012

**ALGENOL BIOFUEL INC.'S OBJECTIONS TO FLORIDA POWER & LIGHT
COMPANY'S FIRST SET OF INTERROGATORIES (Nos. 1-3) AND FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS (No. 1)**

Pursuant to Order No. PSC-12-0143-PCO-EI, Algenol Biofuel Inc. submits the following Objections to Florida Power & Light Company's (FPL) First Set of Interrogatories (Nos. 1-3) and First Request for Production of Documents (No. 1).

I. General Objections

Algenol makes the following general objections to FPL's First Set of Interrogatories (Nos. 1-3) and First Request for Production of Documents (No. 1). Each of Algenol's objections is subject to and qualified by these general objections.

1. Algenol objects to each and every individual discovery request to the extent it calls for information protected by the attorney-client privilege, the work product doctrine, the accountant-client privilege, or any other applicable privilege or protection afforded by law, whether such privilege or protection appears at the time response is first made or is later determined to be applicable for any reason. Algenol in no way intends to waive, but rather intends to preserve, to the maximum extent allowed by law, any such privilege or protection.

2. Algenol objects to every discovery request to the extent the information sought constitutes "trade secrets" which are privileged pursuant to sections 90.506 and 366.093(3)(a), Florida Statutes.

3. Algenol objects to each individual request to the extent it requires production of information that is proprietary, confidential business information without provisions in place to protect the confidentiality of the information. Algenol in no way intends to waive claims of confidentiality.

4. Algenol objects to any definitions or instructions accompanying the discovery requests to the extent that they are inconsistent with and expand the scope of discovery specified in the Florida Rules of Civil Procedure that are incorporated into the Florida Rules of Administrative Procedure (Section 28-106, Florida Administrative Code) or the Commission's rules on discovery. If a question arises as to Algenol's discovery obligations, Algenol will comply with applicable rules and not with any of the definitions or instructions accompanying the discovery requests that are inconsistent with or exceed the requirements of the applicable laws and rules.

5. Algenol objects to any discovery request that requires Algenol to conduct new studies, compile new data and/or information, or create new documents that it otherwise does not have because there is no such requirement under the applicable laws and rules.

6. Algenol objects to any definition or instruction in any discovery request that seeks interrogatory answers containing information from person or entities who are not parties to this proceeding or that are not subject to discovery under applicable rules.

7. Algenol objects to each discovery request to the extent that it seeks information that is not relevant to the subject matter of this Docket and is not reasonably calculated to lead to the discovery of evidence that would be admissible in this proceeding.

8. Algenol objects to each and every discovery request to the extent it is vague, ambiguous, overly broad, burdensome, or imprecise, and to the extent that any discovery

request utilizes terms that are subject to multiple interpretations but are not properly defined or explained for purposes of such discovery requests.

9. Algenol objects to each and every request to the extent it seeks information for periods earlier than 2006. Such information is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Further, research about and collections of such information would be unduly burdensome.

10. Algenol objects to providing any information already in the public record that is as easily accessible to FPL as to Algenol, or that is already in FPL's possession.

11. Algenol expressly reserves and does not waive any objections it may have to the admissibility, authenticity, or relevance of the information provided in its responses to the subject discovery requests.

II. Specific Objections to FPL's First Set of Interrogatories (Nos. 1-3)

1. Algenol specifically objects to Interrogatory No. 3 which requires the identification of "each document" relied upon by a witness. This request is overbroad as Mr. Woods has been CEO of Algenol since 2006 and has access to vast amounts of documents and materials, and it would be impossible for him to identify "each document" upon which he may have relied in providing his testimony.

III. Specific Objections to FPL's First Request for Production of Documents (No. 1)

1. Algenol specifically objects to FPL's Document Requested No. 1 which requires Algenol to provide a copy of "all documents" identified in Interrogatory No. 3. This request is overbroad as Mr. Woods has been CEO of Algenol since 2006 and has access to vast amounts of documents and materials, and it would be impossible for him to provide a copy of "each document" upon which he may have relied in providing his testimony.

Respectfully submitted this 16th day of July 2012.

/s/ Quang J. Ha

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